

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

UNITED STATES OF AMERICA )  
v. ) CR 117-040  
JAMES DAVID DRAFTS )

## ORDER

Before the Court is the Government's Consent Motion to Dismiss Ancillary Petition. (Doc. 37.) On February 6, 2018, the Court entered an Amended Consent Order of Forfeiture forfeiting to the United States one Smith and Wesson .40 caliber pistol bearing serial number RAV9400 (hereinafter the "Subject Property"). (Doc. 29.) On April 9, 2018, Ms. Sondra D. Surls submitted a timely petition contesting forfeiture. (Doc. 35.) On April 9, 2018, the Government advised this Court of the Government's agreement to resolve Ms. Surls' claim by releasing the Subject Property to her when it is no longer necessary to retain the Subject Property as evidence. (Doc. 36.) Other than Ms. Surls, no third party has appeared to contest the forfeiture in this case.

Upon the foregoing, the Government's Consent Motion to Dismiss Ancillary Petitioner (doc. 37) is **GRANTED**, and Ms. Surls's petition (doc. 35) is **DISMISSED AS MOOT**.

SO ORDERED this 14<sup>th</sup> day of June, 2018.

J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA